

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN GAY ANN MASOLO**, on January 17, 2001
at 3:00 P.M., in Room 137B Capitol.

ROLL CALL

Members Present:

Rep. Gay Ann Masolo, Chairman (R)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Bob Lawson, Vice Chairman (R)
Rep. Joan Andersen (R)
Rep. Norma Bixby (D)
Rep. Gary Branae (D)
Rep. Nancy Fritz (D)
Rep. Verdell Jackson (R)
Rep. Hal Jacobson (D)
Rep. Larry Lehman (R)
Rep. Jeff Mangan (D)
Rep. Joe McKenney (R)
Rep. John Musgrove (D)
Rep. Alan Olson (R)
Rep. Ken Peterson (R)
Rep. Butch Waddill (R)
Rep. Allan Walters (R)
Rep. Merlin Wolery (R)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Nina Roatch, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 53, 1/15/2001; HB 181,
1/15/2001; HB 267, 1/15/2001
Executive Action:

HEARING ON HB 181

Sponsor: REPRESENTATIVE DAVE LEWIS, HD 55, Helena

Proponents: Brad Weatherd, Lima, Montana
Jim Beyer, Missoula, Montana
Jim Marks, Montana Association for the Blind
Jim Aldrich, Montana Association for the Blind
Dan Burke, Montana Association for the Blind
Myrle Tompkins, Montana Association for the Blind
Allen Tompkins, Montana Association for the Blind
Bill Davis, Montana School for Deaf and Blind
Bob Runkel, OPI
Erik Burke, MEA-MFT

Opponents: None

Opening Statement by Sponsor:

REPRESENTATIVE DAVE LEWIS, HD 55, Helena, stated that HB 181 came to his attention through the efforts of a friend, Mr. Walt Anderson, who is a member of Montana Association for the Blind. He approached me and asked me to sponsor this bill. This bill addresses the fact that we have approximately 170 blind or visually impaired students in our public schools around the state. The original intent of the bill was to certify teachers in braille and to impose some regulations to get braille textbooks in the school system. He said he had some fairly extensive amendments for the bill that were prepared by OPI and he believes they are good amendments. The intention again, is to get specific and trained teachers for blind and visually impaired students in our school systems. In the amendments we establish a commission to work with OPI and the textbook folks to see if we can get various versions of the textbooks for the students.

Proponents' Testimony:

Jim Marks, Montana Association for the Blind, Missoula, is the chairman for the Montana Association for the Blind Legislative Committee. The MAB is an organization in Montana that comes together to help improve conditions for the blind and visually impaired. We have many programs. We hold a convention in a Montana City each year and pass resolutions to make things better for the blind. As in the past years we seek to amend education laws or create education laws that would give blind children the right to read. Braille literacy is very critical to the foundation for everything else that happens. If one can't read or write, he is shut out of many things in this world. It isn't

because of the child's blindness, it is because of the exposure they aren't given and we want them to have. Blind kids use to be educated in residential programs. That is not the case today, because there is a movement to put these kids in the local school programs. There are benefits, but the trouble is the expertise that existed in the residential programs didn't necessarily follow to the public school system. As a consequence, we started to do things with the blind kids that wasn't very effective. For example, we thought that tape books, played on audio cassettes, could replace braille. It just doesn't work. Braille shows one the beauty of language, you can learn to spell. You feel it at your fingertips. We believe braille is not for just people who are totally blind, but also for those who are visually impaired. One has an advantage if you learn braille when you are young. It is harder for the person when you learn braille later in life. I also am the director of Disability Services at the University of Montana. When I came to the job 12 years ago there were 21 blind students that registered at the University. Now the numbers have exploded elsewhere, but in 2001, there are six blind students in our program. Part of the problem is the fact that blind kids don't know how to read and write like they use to. MAB does not believe in just having the government fix our problems. We believe in doing the best we can for ourselves. We should do all that we can for ourselves. One of the programs that we have is a memorial fund which is a pool of money that we use the interest to give scholarships to teachers and aides who want to learn braille. We want to help them so they can help our children. Montana working together with MAB can get braille to every blind kid in need of it. This won't be easy and MAB is willing to do the hard work.

Jim Aldrich, Montana Association for the Blind, Billings, demonstrated a machine which is the latest in the technology world which types braille, done by the blind person. It is very efficient and quick. It allows the blind to do desk top work. It creates 15 characters per second. He passed around the room a copy of the month's edition of The National Geographic magazine done in braille. It was very thick. Braille and computers can work together which they couldn't do in the past. He can take information off the Internet and read it instantaneously.

Jim Byer, Missoula, has a daughter who was diagnosed with blindness six years ago. The family lived in Polson at the time and one is not able to find services for the blind in just any small community. The goal in literacy is being able to read at least 300 words a minute to maintain a job. When she entered kindergarten the school district was as generous as they could be, but with no certified braille teacher in the area and none on the horizon, we realized we had to make some dramatic decisions.

Our business was terminated, we sold all we had, and moved to Missoula as we had heard of a certified braille instructor, Connie Peterson. She attends Helgate School. In September we set goals when writing her IEP and one was that she could read 30 words per minute by June. In October she was reading 60 words per minute. The point he wanted to make was, from his family's side of braille literacy, braille certification carries enough weight to make them sell all they had and move.

Brad Weather, Lima, shared that his daughter, Hannah, is seven years old and attends public schools in Lima. She had her first IEP when she was three years old. They didn't know what kind of services to expect from the school district in Lima. The family is involved in NFB organization and in a national parent organization for the blind. They attend many conferences for the blind. The testing was done when Hannah was three so that the school would know more about her when she started school. She can read braille and she has a good teacher. They don't know if they were to move, what kind of services they could expect. Literacy is a basic building block for any child. This bill would ensure that all children would have the success that Hannah has had.

Dan Burke, Montana Association for the Blind, Missoula, said he believes that we in the golden age of braille. It is the standard in any language for reading and writing. It is literacy. You can't learn to write, if you can't read. It is not hard to learn and the younger one learns it the easier it is to learn. With this bill, braille can be readily accessible in any district, given access to a braille printer and textbooks. When looking at the certification issue, The Library of Commerce has a test for braille literacy. Most states that address braille use that test for competency for the teacher.

Bob Runkel, Director of Special Education at OPI, said something needs to be done in this area. OPI supports this bill and recognizes that many things need to be done in the area of special education for these children. It takes a number of services for sensory impaired children, services provided by the local schools, services provided by the Montana School for the Deaf and Blind; their program on campus and their outreach program. It takes a strong set of regulations that specifically requires schools to give preference for braille instruction. State and federal regulations call for that. In paperwork for special education the IEP asks specifically if instruction in braille is necessary for the student. If no is checked, there must be a description in the minutes as to why instruction in braille or use of braille is not appropriate. That information must be based on the evaluation results. There are regulatory things that need to be done, need to be enforced and need to be

monitored in OPI. Next, obviously there needs to be trained personnel. In Montana regulations we have a requirement that says that each school must require that each teacher, who implements education services to students with disabilities, obtain specific skills which enables the teacher to deal effectively with the disabilities under the teacher's supervision. There is a requirement in regulations that a teacher be competent in the area in which they are expected to provide instruction. The success outcome for students who are blind or visually impaired, in terms of their careers, is strongly affected by their braille abilities. Successful employment for the blind is strongly related to a blind person's ability to use braille successfully. OPI is in strong support of **HB 181** and has worked with the sponsor on the proposed amendments.

Erik Burke, MEA-MFT, said his organization is in favor of the bill and concur with **Mr Runkel's** amendments. Blind students in the past were serviced in the residential area, but more and more students are choosing, and have the right to do so, to move into the local school systems and be serviced with good quality instruction. In the amendments, they have looked the teacher's certification section. The BPE regulates teacher certification in Montana. The legislature has not delved into certification in the past and has no reason in this bill, as well. We do feel it is necessary to ask teachers who are instructing in braille in our classrooms, be qualified in braille.

REPRESENTATIVE LEHMAN, HD 87, wished to go on record as favoring the bill. He also offered written testimony from **Debby Barrett, HD 34** and **Marty Griser, Dillon, Montana**. **EXHIBIT(edh13a01)**
EXHIBIT(edh13a02)

Opponents' Testimony: None

Questions from Committee Members and Responses:

REPRESENTATIVE PETERSON questioned **Mr. Marks**. It seemed to him that in the amendments to the bill it expanded the definition of the blind and visually impaired. He asked, is that true? How does that effect the fiscal note? **Mr. Marks** said that people think that if you can see a little, you can see. You can only see enough to get yourself in trouble. Therefore, Montana Association for the Blind covers kids who are legally blind by definition. **REPRESENTATIVE LEWIS** suggested that the committee could adopt the bill and ask for a revised fiscal note because of the amendments offered to the bill. The appropriations committee will be looking at the new fiscal note.

REPRESENTATIVE GALVIN-HALCRO questioned **Mr. Burke**. Would this bill require every new teacher to pass a required exam or be certified in anyway in the teaching of braille? **Mr. Burke** said, the bill in its original form would be requiring some testing for those instructors of braille. Now in its modified form, obviously we want to access and to make sure our teachers are meeting standards and they know how to teach braille, that requirement is no longer in the bill. **REPRESENTATIVE GALVIN-HALCRO** questioned **Mr. Burke** further. In my imagination I can envision these teachers working in the classroom the same way reading resource teachers work and special education teachers work. Am I envisioning this correctly? The blind student would go into the traditional classroom for instruction and then, rather than going to an elective class, such as art or P.E., that he would spend a period or two a day with his braille instructor. Am I correct? **Mr. Burke** said, that was probably the way it would be done most often. Currently under the education laws of Montana this would fall under the duties of the special education teacher. **REPRESENTATIVE GALVIN-HALCRO** asked, if it would be the burden of every special education teacher to be certified as a braille instruction teacher so that any blind student could enter their classroom in the school district? **Mr. Burke** answered, the amendments will not require certification in braille instruction. Training in braille instruction will be required for those instructors dealing with blind students. The mandate is really for training and ability verses a specific certification. The BPE is the entity that controls and has the right to change certification rules in Montana.

REPRESENTATIVE GALVIN-HALCRO had a question for **REPRESENTATIVE LEWIS**. I would like to see the revised fiscal note after the amendments are written for the bill. The school district that I teach in includes the Montana School for the Deaf and Blind and I can certainly see this having a great impact on the school district. I would like to see those numbers. **REPRESENTATIVE LEWIS** said the process would be, if you adopt the amendments, then the chairman would request, through the speaker, a revised fiscal note. The sponsor cannot do that. I would hope that when the Superintendent of Public Instruction and the folks from the school districts look at this and develop their response they take into consideration that we are talking about a requirement of training and not certification.

Closing by Sponsor:

REPRESENTATIVE LEWIS said we have an obligation to blind students and he is surprised that it hasn't come before the legislature before this time. He will work with the budget office.

HEARING ON HB 53

Sponsor: REPRESENTATIVE JUNEAU, HD 65, Browning

Proponents: Harold L. Dusty Bull, Council on Indian Education
Titus R. Upham, Blackfeet Tribal Council, Browning
Bob Gervais, Browning
James St. Goadard, Blackfeet Children Educators
Wilma Mad Plume, Blackfeet Community College
Robert L. Mad Plume, Parent/Child Advocate, Browning
Daniel Casey, Montana Human Rights Network, Helena
Frank Smith, HD 98, Poplar
Stan Juneau, Blackfeet Community College, Browning
Kevin Howlett, CSKT Council, Pablo, Montana
Mike Jetty, Mt./Wy. Indian Education Association
Rebecca Moog, MWL, Helena
Joyce Silvertt, CS & KT, Dixon
Colleen Murphy, Montana-NASW, Helena
Lynda Brannon, Indian Impact School
Anne M. Stewart, Arlee Schools
Bill Yagyers
Roberta Cross Guns, Appleseed
Joseph Anderson, Helena
Bernadette Tsosie, Helena
Erik Burke, MEA-MFT
Bob Vogel, MSBA
Sharon Wagner, Wakina Sky Learning Circle, Helena
Senator Glenn Roush, SD 43, Cut Bank
Beth Brennenion, ACLU, Helena
George Ochenski, Tribal Leaders Council Conf. Salish-Kootenai Tribes, Helena

Opponents: None

Opening with a tribal prayer.

Opening Statement by Sponsor:

REPRESENTATIVE CAROL JUNEAU, HD 85, Browning

EXHIBIT (edh13a03) **EXHIBIT** (edh13a04) said HB 53 will authorize school districts that are located wholly within the boundaries of an Indian reservation or a school district that has an enrollment of greater than 50% Indian students to adopt a policy establishing an employment preference for Indians with substantially equal qualifications. She pointed out that this bill is not a mandate but will give the school districts the authority to do so if they wish. In addition, this bill will

codify current federal law that requires the school district that receives the federal contract or grant for the benefit of Indians to apply, to the greatest extent feasible, an Indian preference in training and employment in administering the contract or grant. **EXHIBIT (edh13a05)** This exhibit refers to 450e. "Wage and labor standards and preference requirements for contracts of grants." It does not cover school districts. On page 2 of the bill there are some definitions that might clarify some of the questions you might have. In federal regulations there are about 12 definitions of Indians. Substantially equal qualifications is something people have been concerned about. It means the qualifications of two or more persons between whom the school board of trustees cannot make a reasonable determination, if one is Indian and one is not, the Indian would receive the preference. There are similar preferences in law for veterans and for those disabled. Currently there are two Indian hiring preference laws in state statutes. They are 18-1-110, which refers to road construction and 218-111, which refers to state jobs within the reservation. We would think that covers schools, but it doesn't. The Bureau of Indian Affairs and the Indian Health Services practice Indian preference. On the reservations, public schools are much more than educating institutions. To Indians they are part of their social life and also major employers on the reservation. Education is one of the major economic industries in the community. It is very important that those jobs be available to local people. Statistics offered: Indian paid people make up 7% of working people in Montana, 11% of public schools are Indian students, and 2% of teachers in Montana are Indian. We need teachers who know our families, culture, issues, etc. If we do not have those kind of role models in our schools, what kind of message are we sending to our children? This year in Montana, Title 9 provides money for educating Indian teachers. We are going to have Indian teachers in the next four or five years ready to go into our schools.

(Tape : 1; Side: B)

Kevin Howlett, JOCO Representative on the Tribal Council of the Confederated Salish Kootenai Tribes, said that for the past 20 years he has been in education as a teacher, administrator and an advocate for children. I know that we have no opponents here today, but I know we have opponents and that is a mystery to me. He wants the committee to know that it is important to move Indian children to the next higher place. Right now the ability for an Indian child to get through public schools is a disaster. An Indian child has to have a role model, he has to connect. We believe it is absolutely necessary for Indian children to have an Indian teacher, not just because they can connect culturally. It is only in this country that we look at only one language and one

approach. If our children are to compete and participate in the future, then we need children with board backgrounds. Children need the experience of a teacher from a different culture. Indian children need to have a teacher that is their own, succeeding at the highest level. We are not asking the legislature to adopt affirmative action. We are not asking for racial preference. We are asking you to understand that our relationship, as Native American people, in terms of preference, is a political preference. It has been affirmed by the United State Supreme Court. Indian preference was challenged by federal employees. On the Flathead Reservation there are 450 teachers and six of them are Indian. Help us help ourselves.

Harold Dusty Bull, Montana Advisory Council on Indian Education, Blackfeet Reservation, said he believes the people who drafted the bill had the foresight of what's needed to bring equality to this state. His ancestors knew how employment and the opportunity to participate in educational needs of his people was going to be the foundation that leads toward economic growth and well being of his people. I have with me an agreement that was written in 1896 between the United States of America and the Blackfeet Nation. **EXHIBIT (edh13a06)** Over one hundred years ago his ancestors saw the need for Indian preference. This bill, if passed, will have a positive development and a tremendous impact on the economic welfare of education and social structure of Indian reservations. Today Indian people in the state of Montana face many problems because of education. He offered the following statistics. There are seven Indian reservations in Montana. Indians make up 8% of the population of Montana. Montana's Indian population is, on an average, 10 years younger than the average age in Montana. In 1996-97, in a teaching population of 12,645, 2% were Indians. Of the 132 dropouts in the 7th and 8th grades, 56 are Indians. Given a two year average, 30% of high school dropouts are Indians. Over a four year period, 3000 Indian students have dropped out of high school. It is a social issue. Indian children do not seek to be teachers because of lack of role models. In the 1989 per capita census, the average income of an Indian on the reservation was between \$4,122 and \$9,560. The average income for a non-Indian was \$11,215. In March 1998, the population of Montana's prisons was 2,154. Of that population, 366 or 17% were Indians. Thirty one of 88 women in prison were Indians. That is 35%. Indians receive 42% of the financial assistance programs in Montana. There is a high rate of unemployment on each one of the reservations. The high numbers on the reservations represent bad. That is where Indians are. When the low numbers represent bad, that is where the Indian people are. What is causing this problem. He said it starts with education. In order to reach people, you must first respect them and understand who they are. This is not happening. Native American students are labeled

remedial students, thus lowering teacher expectations. Indian children, to have success, must have role models. Forty two percent of graduating Indian students go on to four year programs. Indians know they can be successful if allowed to do so. Indians have come with respect to humbly ask for preference. He presented the **CHAIR** the Blackfeet Indian flag.

James St. Goadard, Blackfeet Nation, said that he was present on behalf of the 4,000 children that will be affected by the decision on the bill. In 1931, the old council allowed the state to put schools on the reservation. We knew your way would help assist us in teaching our people. We have never been allowed to implement what we think is right for our society. Indians have not been allowed to participate as the 1931 agreement led them to think they would. Our adults have been educated and not been allowed to work in our education program. He said that they have very competent people in the state now. The legislature can continue what the state of Montana and the Blackfeet Nation wanted to do in 1931. The process has never been followed through. The legislature can change the course of history in the state. There are 5900 Indians under the age of 18 in the Blackfeet Nation. The method we are using now hasn't worked in the past. Indians need role models in the classroom. Teachers can be from their own people. He said that he comes with respect for the laws of Montana. He seeks respect for his needs in his Indian nation. All we want is the best for our children.

Roberta Cross Guns, said she is not Indian but her husband is a member of the Blackfeet tribe. Her children do not have positive role models.

Titus Upham, Blackfeet Tribal Council, said that 97% of the population on the Blackfeet Reservation are Indians. The number of Blackfeet teachers is minimal. The majority of the teachers are not Indians. Many of the Blackfeet people receive degrees and then cannot get a job on the reservation. Having role models in my life made a difference. Indian children need Indian role models. They do not relate to other teachers. We need an educated community. He also supports **HB 267**.

Wilma Mad Plume, Blackfeet Nation, Blackfeet Community College, said it is very vital that we begin to hire native people to teach native children. The Professional Development Program consists of 30 interns who will in the next two years become certified teachers in the state of Montana. We hope to fill and seek those positions in Browning or other reservations. I don't want our children to be afraid to go into education because they believe they will not be able to get a job on the reservation when they finish.

REPRESENTATIVE EGGERS, HD 6, Big Horn County, said he is the product of good role modeling. We need role models to advance education on the reservations.

Joy Silverthorn, member of **MBE**, representing **Confederated Salish Kootenai Tribes**, said she was here to support the bill being listened to in committee. We need to address the fact that Indians have test phobic problems. **EXHIBIT(edh13a07)**

Mike Jetty, **Montana/Wyoming Indian Education Association**, handed in written testimony. **EXHIBIT(edh13a08)**

Robert Mad Plume, **Blackfeet Nation**, parent, said it is very important that kids listen to people from their own reservations. When a member of the tribe goes off to college, he should be able to come back and help his own people.

Bernadette Tsosie, **Helena**, said she is not a member of a Montana tribe but one from New Mexico. I am surprised there aren't many Indian teachers in the community. This law has been implemented in New Mexico. I support it.

(Tape : 2; Side : A)

Colleen Murphy, **Montana/NASW**, said she wants to help alleviate the problems faced by Indians. **EXHIBIT(edh13a09)**

Joe Loos, **ACSW**, gave written testimony. **EXHIBIT(edh13a10)**

Tracy Perez, **MSW, LCSW** gave written testimony. **EXHIBIT(edh13a11)**

Robert Raymond, **LCSW, Montana, Member-Academy of Certified Social Workers**, gave written testimony. **EXHIBIT(edh13a12)**

Veronica M. Whitaker, **ACSW, Social Worker**, gave written testimony. **EXHIBIT(edh13a13)**

Laura Taffs, **M.Ed., LCPC, Helena**, gave written testimony. **EXHIBIT(edh13a14)**

Cheri Spencer-Munn gave written testimony. **EXHIBIT(edh13a15)**

Bill Cooper, **OPI**, said he supports the bill.

Erik Burke, **MEA-MFT**, said his organization rises in support of the bill.

Bob Jarvis, Browning, said that his district has been recruiting from southern states. They stay a year and they are gone. We have people who can fill these jobs, but the administrators do not recommend hiring them. The present teachers do not contribute to the local economy. They live in Cut Bank.

Beth Brennenion, ACLU, Helena, said they support the bill because it is both a reasonable and constitutional way to address the discrimination of Indians in the state of Montana.

Joseph Anderson, Blackfeet Nation, Helena, said he is present to support the bill.

Dan O'Casey, Montana Human Rights Network, said his organization supports the bill for all the reasons noted early. The state of Montana's constitution gives the Indians the right to do what this bill seeks.

Bob Vogel, MSBA, said the bill is necessary and his organization supports it.

REPRESENTATIVE FRANK SMITH, HD 98, Poplar, said he comes in support of the bill. Fort Peck Reservation does have agreements with school boards that allows just what this bill is calling for on all reservations.

Dan Juneau, Browning, said he is a retired teacher. He said that this bill would allow him to leave retirement and go back to work.

Sharon Wagnor, Blackfeet Nation, Helena, handed in written testimony. **EXHIBIT**(edh13a16)

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

REPRESENTATIVE JUNEAU thanked everyone for coming.

HEARING ON HB 267

Sponsor: **REPRESENTATIVE CAROL JUNEAU, HD 85, Browning**

Proponents: **Harold Dusty Bull, Montana Advisory Council on Indian Education, Browning**

REPRESENTATIVE FRANK SMITH, HD 98, Poplar

**Titus Upham, Blackfeet Tribal Council Education,
Chairman, Browning**
Andrew Brekke, Montana University System, Harlem
Stan Juneau, Blackfeet Community College, Browning
Kevin Howlett, CSKT Council, Pablo
Bill Eggers, Crow Tribe
Bob Vogel, MSBA
Erik Burke, MEA-MFT
Bob Germain, Browning
Rebecca Moog, Helena
Robert Mad Plume, Browning
Wilma Mad Plume, Browning
Bernadette Tsosie, Helena
James St. Goadard, Browning
Angela Johnson, Blackfeet Community College, Browning

Opponents: None

Opening Statement by Sponsor:

REPRESENTATIVE CAROL JUNEAU, HD 85, Browning, said **HB 267** is basically a language change for the adult education program. Right now under current language colleges are not eligible to apply for the state's share of funds that we give to the OPI for adult education. They are able to apply for the federal flow through money that comes in. I would like to include the words "tribal colleges," in that language. It would make them eligible and able to compete for the money, the state's share money. I do realize that this doesn't mean that the tribal colleges will get funded. I do realize that this doesn't mean there will be additional money. The bill would give the tribal colleges equitable treatment in terms of application for adult education funds. See Exhibit (7) Given twice. There is a fiscal note, but not available at the meeting. There is no cost.

Andrew R. Brekke, Montana University System, said that the organization represented by him is in support of the bill.

Bob Jarves, Browning, said that he supports the bill.

Harold Dusty Bull, MACIE, said his organization supports the bill.

Bill Cooper, OPI, said this is really an equity issue not a resource issue. By passing this bill you will be allowing state ABE funds for the tribal colleges on the same basis as their community counterparts have. We support the bill.

Erik Burke, MEA-MFT, said his organization supports the bill.

Titus Upham, Chairman of Blackfeet Tribal Council for Education, said he supports the bill.

Dan Juneau, Blackfeet Community College, Browning, said they are in favor of the bill. His college offers a GED program.

Bob Vogel, MSBA, said that his organization supports the bill. He is comfortable that this will not take money from the communities colleges receiving it now.

Joyce Silverthorn, Confederate Salish and Koontai Tribes, said that the equal opportunity is well deserved.

Wilma Mad Plume, Browning, said she was in support of the bill. It will help their literacy program.

Robert Mad Plume, Browning, said he was in full support of the bill.

REPRESENTATIVE FRANK SMITH, HD 98, Poplar, said this is a matter of economic development and ongoing education on the reservation.

Bernadette Tsosie, Helena, said she is in support of the bill.

James St. Goadard, Browning, presented a copy of a document signed by **Mark Racicot, Governor of Montana**. **EXHIBIT (edh13a17)** Tribal leaders are elected just like legislators. If we work together we will set an example for all states.

REPRESENTATIVE EGGERS, HD 6, said that last session when the now beneficiary bill was presented, he was impressed that the tribal colleges really service non-Indians in a major way. That bill passed. This particular bill is significant because the outreach educational programs in rural and tribal communities service hundreds of non-Indians. This supports Big Horn County and he is in favor of the bill.

REPRESENTATIVE JOEY JAYNE, HD 73, said she is in favor of this bill. Her mother, in New Mexico, received her GED and went on to college and raised a family under a similar program.

Angela Johnson, Blackfeet Community College, said that one of the things she has found in her work is that the Indians need their education. They need a GED or a high school diploma. A recent study shows that 54% of the Blackfeet people on public assistance do not have a GED or high school diploma. They have the largest

caseload in the state. They do not have the program to offer a GED. The funding is not there.

Wayne F. Juneau, Chairman, Tribal Board of Trustees, Browning, submitted written testimony. **EXHIBIT (edh13a18)**

Opponents' Testimony: None

Questions from Committee Members and Responses:

REPRESENTATIVE MANGAN had a question for **Mr. Cooper**. What kind of money are we looking at, which is typically set aside for adult education? **Mr. Cooper** said, there is \$989,800 in federal money that flows through to schools, tribal colleges and community colleges. At this point there is an additional \$250,000 of state money that flows through to school districts and community colleges. It does not flow through to the tribal colleges. **REPRESENTATIVE MANGAN** asked **Mr. Cooper**, if this bill passes, the tribal colleges will be eligible for the \$250,000 of state money? **Mr. Cooper** said yes. **REPRESENTATIVE MANGAN** then asked, how is that distribution determined? **Mr. Cooper** said, I can't give the exact formula. What happens is the \$989,800 goes into the pie along with the \$250,000 of state money. Then people apply for the money. If this bill passes, the tribal colleges will get less of the federal money and they will pick up what they lost in the federal money in the state share. The opposite is true for everyone else. There will be less state share so they will be able to pick up more federal share. It is basically a push. **REPRESENTATIVE MANGAN** questioned further. How is the amount in the state appropriations (\$250,000) determined? **Mr. Cooper** replied, that comes through an appropriation. The current one is \$250,000 and we have asked for an increase this year in that appropriation. He did not remember how much was requested. **REPRESENTATIVE MANGAN** asked, is there anyway the tribal colleges can be left out of this bill, if it passes. Is there additional work they must do, to receive the money? **Mr. Cooper** said, no.

REPRESENTATIVE PETERSON asked the **SPONSOR**, are there currently adult education persons enrolled in the college in Browning.

REPRESENTATIVE JUNEAU answered, there is a program at the Blackfeet Community College via Head Start. The Head Start program in our community, she believes, is the only Head Start program with a GED component. They provide the college with a staff member to provide some support. It is a drop in the bucket, as she sees it, for the need that does exist.

REPRESENTATIVE PETERSON questioned further. If you get the money, can you get the people in to serve them? **REPRESENTATIVE JUNEAU** said we have the people, the need, and the programs, if

we receive the financial support. **REPRESENTATIVE PETERSON** continued, the need is not being met now and if you had the resources, you could meet the need? **REPRESENTATIVE JUNEAU**, said yes.

REPRESENTATIVE MASOLO questioned **REPRESENTATIVE JUNEAU**. Right now do you receive federal money for this adult education?

REPRESENTATIVE JUNEAU referred the question to **Angela Johnson**. She said she wasn't sure, but she thought not. They do testing and she knew at the last meeting, they were trying to figure out where to get money for the tester. She said they have received money in the past, but wasn't sure what is presently happening. The **CHAIR** asked if there was anymore federal money to help the students at the college. **Angela Johnson** said she was not sure how to answer. **REPRESENTATIVE MASOLO** asked **Mr. Cooper** how they determine who gets the money. **Mr. Cooper** said an entity applies through the OPI and the money is allocated, not on a competitive basis, but by determining what the needs are and allocating the money.

Closing by Sponsor:

REPRESENTATIVE JUNEAU said that she appreciated the respect shown for the witnesses. There use to be a program called Indian Education Title 9 which included adult education. That component was taken out about five years ago. That money is no longer available and has not been available for some time. BIA use to supply some federal resources for adult education and no longer does so.

ADJOURNMENT

Adjournment: 5:00 P.M.

REP. GAY ANN MASOLO, Chairman

NINA ROATCH, Secretary

GM/NR

EXHIBIT (edh13aad)